

UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF ILLINOIS

MARY MADISON

Plaintiff,

CREATIVE WERKS, LLC,

Defendant.

Case No. 23CV16476

Hon. Honorable Manish S. Shah

**DEFENDANT'S INITIAL DISCLOSURES**  
**PURSUANT TO FED.R.CIV.P. 26(a)(1)**

Pursuant to Rule 26(a)(1) of the Federal Rules of Civil Procedure, Defendant Creative Werks, LLC (“Creative Werks”) provides its initial disclosures to Plaintiff Mary Madison (“Plaintiff” or “Madison”). These initial disclosures are based on the information reasonably available to Defendant on this date. Creative Werks’ investigation is continuing, and these initial disclosures are being made before discovery has occurred. Accordingly, Defendant reserves the right to amend supplement, or materially modify these disclosures in all respects.

Creative Werks reserves its right to object to the production of any document or thing disclosed herein on the basis of the attorney-client privilege, the work product doctrine, relevancy, undue burden, or any other valid objection. Creative Werks also makes these disclosures reserving (1) the right to object on the grounds of competency, privilege, relevancy and materiality, hearsay, or any other proper ground; and (2) the right to object on any and all grounds, at any time, to any other discovery request or proceeding involving or relating to the subject matter of these initial disclosures. By making these initial disclosures, Creative Werks does not represent that it is identifying all documents, electronically stored information, things or witnesses that may be

relevant to this action. Subject to the foregoing reservations, Creative Werks makes these disclosures.

**I. Persons Having Relevant Knowledge under Fed. R. Civ. P. 26(a)(1)(A)(i)**

The individuals listed below are believed to be likely to have discoverable information that Creative Werks may use to support its claims and defenses. In making these disclosures, Creative Werks reserves the right to object to the testimony of any of the individuals listed below on the basis of attorney-client privilege, work product protection, or any other applicable basis. Creative Werks further reserves the right to object to the admissibility of testimony by any witness on the basis of hearsay, lack of foundation, or any other applicable evidentiary objection. In addition, Creative Werks reserves the right to identify and call as witnesses at trial other persons who may be identified through investigation and discovery. Creative Werks expressly reserves the right to supplement this list of individuals as the case progresses and as investigations and discovery continues. Creative Werks requests that Plaintiff contact any current or former Creative Werks employees or consultants solely through counsel for Creative Werks indicated in the chart below.

Name, Address and Phone Number (If Known)	Subject of Information Known
Gretchen LeMay, Head of People (HR) (Available through Counsel)	Information relating to Plaintiff's hiring, basis for termination, treatment of other employees.
Steven Schroeder, President (Available through Counsel)	Information relating to Plaintiff's hiring and basis for termination.
Erich Zicher, Supervisor (Available through Counsel)	Information relating to Plaintiff's hiring and basis for termination.
Ron Sammeth (Available through Counsel)	Certain actions of Plaintiff while employee of Defendant.

Creative Werks expressly reserves the right to supplement this witness list as further investigation and discovery continue.

**II. Categories of Documents Relating to Claims or Defenses under Fed. R. Civ. P. 26(a)(1)(A)(ii)**

In identifying these documents, Creative Werks reserves all objections that the documents below are shielded from discovery due to any applicable privilege or immunity, including the attorney-client privilege and the work product doctrine. Further, Creative Werks reserves all rights to object to the discoverability or admissibility of these documents to the extent permitted by the Federal Rules of Civil Procedure, the Federal Rules of Evidence, and the Local Rules of the U.S. District Court for the Northern District of Illinois. Subject to the foregoing reservations of rights, Creative Werks discloses the following categories of documents, all of which are in the possession of Creative Werks or its counsel, which may support its claims or defenses in this action.

1. Plaintiff's Personnel file maintained by Creative Werks.
2. Creative Werks' Employee Handbook
3. Plaintiff's IDOL filing and Plaintiff's DOL/OSHA filing.
4. An approximate 78-page report prepared by Plaintiff ("Plaintiff's Report") while employed by Creative Werks.
5. Documents referred to in the Plaintiff's Report.
6. Emails (and associated attachments) between Plaintiff and others at Creative Werks.
7. Documents in Plaintiff's possession relating or referring to Creative Werks.

### **III. Computation of Damages under Fed. R. Civ. P. 26(a)(1)(A)(iii)**

Creative Werks reserves the right to claim it has been injured by Plaintiff as a result of a bad faith claim. The amount and manner of calculating Creative Werks' potential damages is currently unknown to Creative Werks.

### **IV. Relevant Insurance Agreements**

Creative Werks is not presently aware of any applicable insurance agreements.

Dated: October 15, 2024

/s/ Jon D. Cohen

Jon D. Cohen, (lead counsel)

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